

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 3, 2012

David H. Karceski, Esquire Justin Williams, Esquire Venable, LLP 210 West Pennsylvania Avenue Towson, Maryland 21204

RE: Petition for Variance

Case No.: 2013-0087-A

Property: 11350 McCormick Road

Dear Messrs. Karceski and Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN B. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Davis Linton, Hill Management Services, Inc., 9640 Deereco Road, Timonium, MD 21093

RE: PETITION FOR VARIANCE
11350 McCormick Road; S/S Shawan Road
At the S/W corner of McCormick Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Executive Plaza LLC
Petitioner(s)

RECEIVED

OCT 16 2012

- * BEFORE THE OFFICE
- * OF ADMINSTRATIVE
- * HEARINGS FOR
- * BALTIMORE COUNTY
- * 2013-087-A

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Cank S Vemlio

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204

105 West Chesapeake Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of October, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN RE: PETITION FOR VARIANCE (11350 McCormick Road)

8th Election District
3rd Councilmanic District
Executive Plaza, LLC
Legal Owner
Petitioner

- BEFORE THE OFFICE
- * OF ADMINISTRATIVE
- * HEARINGS FOR
- * BALTIMORE COUNTY
 - CASE NO. 2013-0087-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, on behalf of the legal owner of the subject property, Executive Plaza, LLC ("Petitioner"). The Petitioner is requesting Variance relief for freestanding signs from Section 450.4 Attachment 1.7(d), of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

- 1. To allow a freestanding joint identification sign without a vehicular entrance (Sign A),
- 2. To allow sign height of 20' for a freestanding joint identification sign in lieu of the permitted sign height of 12' (Sign E), and
- 3. To allow freestanding joint identification signs with sign areas/faces of 138 and 141 sq. ft. in lieu of the permitted sign area/face of 75 sq. ft. each (Signs E and F).

In addition, the Petitioner is requesting Variance relief for wall-mounted signs from Section 450.4 Attachment 1.7(e) of the B.C.Z.R., as follows:

- 1. To allow two wall-mounted joint identification signs on a principal building with sign areas/faces of 29 sq. ft. and 142 sq. ft. in lieu of the one sign permitted per principal building with a sign area/face of 150 sq. ft. (Signs H2 and G), and
- To allow a wall-mounted joint identification sign on a principal building without a frontage (Sign I).

Date	12-3-12
Ву	

ORDER RECEIVED FOR FILING

The letters on the Petition assigned to the various signs in question correspond to the lettering shown on the site plan. In addition, the subject property and requested relief is more fully depicted on the two-sheet site plan that was marked and accepted into evidence as Petitioner's Exhibit 1A and 1B.

Appearing at the public hearing held for this case was Davis Linton with Hill Management Services, Inc., and Bernt C. Petersen, R.L.A., with George William Stephens, Jr. and Associates, Inc., the consulting firm that prepared the site plan. David H. Karceski, Esquire and Justin Williams, Esquire, both with Venable, LLP, appeared and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of protest or opposition.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. There were no adverse comments submitted from any of the County reviewing agencies.

Testimony and evidence revealed that the subject property is 1,056,896 square feet (24.263 acres) and is zoned ML-IM. The property is improved with four (4) large office buildings, and is situated at the intersection of Shawan and McCormick Roads, a heavily traveled corridor adjacent to the Hunt Valley Towne Center. The Petitioner is in the process of updating and modernizing its signage, and requires variance relief to install those signs depicted on the site plan.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

2

(1) The property is unique; and

(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

ORDER RECEIVED FOR FILING

Date	2-3-12
Bv	(DU)

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. The subject property (Executive Plaza) is a large site, and it is located in the midst of the Hunt Valley business community, which is home to many well-known corporations and businesses. The Executive Plaza is interconnected to several of these other corporate office parks, but of course the ownership and tenants at the sites are different, which renders the site unique in a zoning sense. Also, the subject property has frontage on three (3) heavily-traveled roadways, and the office buildings themselves are, in the words of Landscape Architect Bernt Peterson (who was accepted as an expert) "insular to the site," as shown on the photos admitted as Petitioner's Exhibit 4. This factor also serves to make the property unique, and also heightens the need for adequate signage to safely and clearly direct motorists to the site, and to which of the 4 buildings on site they are looking for.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship, given they would be unable to install the necessary signage shown on the site plan (Petitioner's Exhibit 1). Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of opposition from the community and the lack of negative comments from Baltimore County reviewing agencies. In addition, the relief requested is modest, especially for a property of this size and importance, with a multi-million dollar tax assessment. Finally, the proposed signs are attractive and will not in any way cause a traffic hazard.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

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Date	12-3-6
D.,	10.2
Bv	900

THEREFORE, IT IS ORDERED, this <u>3rd</u> day of December, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Variance for freestanding signs from Section 450.4 Attachment 1.7(d) of the Baltimore County Zoning Regulations (B.C.Z.R.), to:

- 1. To allow a freestanding joint identification sign without a vehicular entrance (Sign A), and
- 2. To allow sign height of 20' for a freestanding joint identification sign in lieu of the permitted sign height of 12' (Sign E), and (3) To allow freestanding joint identification signs with sign areas/faces of 138 and 141 sq. ft. in lieu of the permitted sign area/face of 75 sq. ft. each (Signs E and F),

be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance for wall-mounted signs from Section 450.4 Attachment 1.7(e) of the B.C.Z.R., to:

- 1. To allow two wall-mounted joint identification signs on a principal building with sign areas/faces of 29 sq. ft. and 142 sq. ft. in lieu of the one sign permitted per principal building with a sign area/face of 150 sq. ft. (Signs H2 and G), and
- 2. To allow a wall-mounted joint identification sign on a principal building without a frontage (Sign I),

be and is hereby GRANTED.

The relief granted herein shall be conditioned upon and subject to the following:

1. The Petitioner may apply for any required permits and may be granted same upon receipt of this Order; however the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

4

ORDER F	RECEIVED FOR FILING
Date	12-3-12
Bv	(PW)

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date_____



PETITION FOR ZONING HEARING(S)

Address 11350 McCormick Road Deed References: 13151-623	which is presently zoned ML-IM 10 Digit Tax Account # See Attached
Property Owner(s) Printed Name(s)E	xecutive Plaza LLC
(SELECT THE HEARING(S) BY MARKING X AT THE A	PPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	uate in Baltimore County and which is described in the description and made a part hereof, hereby petition for:
a Special Hearing under Section 500.7 of th	e Zoning Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	to 20 mig regulations of Balantois County, to determine who are
a Special Exception under the Zoning Regul	alations of Baltimore County to use the herein described property for
. X a Variance from Section(s)	
X_a variance from Section(s)	
See A	ttached
	i.
	to the zoning law of Baltimore County, for the following reasons: iculty or indicate below "TO BE PRESENTED AT HEARING". If achment to this petition)
To be present	ented at hearing
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REV. 10/4/11

Petition for Variance 11350 McCormick Road

Freestanding Signs:

- 1. Variance from Section 450.4 Attachment 1.7(d) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a freestanding joint identification sign without a vehicular entrance (Sign A).
- Variance from B.C.Z.R. Section 450.4 Attachment 1.7(d) to allow a sign height of 20 feet for a freestanding joint identification sign in lieu of the permitted sign height of 12 feet (Sign E).
- 3. Variance from B.C.Z.R. Section 4:50.4 Attachment 1.7(d) to allow freestanding joint identification signs with sign areas/faces of 138 and 141 square feet in lieu of the permitted sign area/face of 75 square feet each (Signs E and F).

Wall-Mounted Signs:

- 1. Variance from B.C.Z.R. Section 4.50.4 Attachment 1.7(e) to allow two wall-mounted joint identification signs on a principal building with sign areas/faces of 29 square feet and 142 square feet in lieu of the one sign permitted per principal building with a sign area/face of 150 square feet (Signs; H2 and G).
- 2. Variance from B.C.Z.R. Section 450.4 Attachment 1.7(e) to allow a wall-mounted joint identification sign on a principal building without a frontage (Sign I).

0087-A

Petition for Variance 11350 McCormick Road

Tax Account Numbers:

1600006972 1600006973

1600006967

1600006968

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS 2205-C COMMERCE ROAD, FOREST HILL, MARYLAND 21050

August 20, 2012

ZONING DESCRIPTION

11350 McCormick Road

Beginning at a point on the southerly right-of-way of Shawan Road which is of varying width, said point being South 58 degrees 41 minutes 7 seconds West 193.582 feet more or less, from a point formed by the intersection of the centerlines of Shawan Road and McCormick Road, thence leaving said point of beginning, along the following 14 courses:

- 1. Running thence and binding on the southerly right-of-way of Shawan Road along a curve to the right with a radius of 142 feet and a distance of 197.84 feet, thence
- leaving said southerly right-of-way of Shawan Road and binding on the westerly right-ofway of McCormick Road South 4 degrees 55 minutes 27 seconds East 419.82 feet, running thence
- 3. South 4 degrees 55 minutes 27 seconds East 501.65 feet, running thence
- 4. South 40 degrees 4 minutes 33 seconds West 98.99 feet, thence leaving said right-of-way of McCormick Road and binding on the northerly right-of-way of Schilling Circle which is 60 feet wide
- South 85 degrees 4 minutes 33 seconds West 420.08 feet, running thence
- South 85 degrees 4 minutes 33 seconds West 365.96 feet, thence leaving said right-ofway of Schilling Circle
- 7. North 4 degrees 55 minutes 27 seconds West 411.99 feet, running thence
- 8. South 85 degrees 4 minutes 31 seconds West 43.47 feet, running thence
- 9. North 4 degrees 55 minutes 27 seconds West 700.98 feet, to a point on the southerly right-of-way of Shawan Road, running thence and binding on said right-of-way
- 10. North 85 degrees 14 minutes 58 seconds East 50.23 feet, running thence
- North 85 degrees 31 minutes 24 seconds East 250.03 feet, running thence
- 12. North 85 degrees 17 minutes 39 seconds East 150.03 feet, running thence
- 13. North 84 degrees 54 minutes 44 seconds East 127.23 feet, running thence
- North 85 degrees 38 minutes 4 seconds East 159.37 feet to the point of beginning.

2013-0087-A

Being those parcels of land recorded in Deed Liber S.M. 13151, folio 623, as recorded in the Baltimore County Land Records, containing 24.263 Acres of land more or less. Also known as 11350 McCormick Road, being parcels 413, 415, 418 and 419 of Baltimore County tax map 42, and located within Election District #8 and Councilmanic District #3.

Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.



4:10-297-2340 • FAX 410-297-2345 www.gwstephens.com

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 2013-0087-A Petitioner: Executive Plaza LLC
Address or Location: 11350 McCormick Road
PLEASE FORWARD ADVERTISING BILL TO: Name: Barbara Lukasevich
Address: Venable, LLP
210 W. Pennsylvania. Ave, Suite 500
Towson, MD 21204
Telephone Number: (410) 494-6352

OFFIC	E OF BU	DGET AN	MARYLAN D FINANC RECEIPT	E		No.		078 /12	PATO RECEIPT BUSINESS ACTUAL TIME OR
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CERTIFICATE OF POSTING

	RE: Case No.:
	Petitioner/Developer:
	Executive Plaza, LLC
	November 29, 2012 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Cowson, Maryland 21204	
Attn: Kristen Lewis:	
adies and Gentlemen:	
This letter is to certify under the penalt costed conspicuously on the property lo	ies of perjury that the necessary sign(s) required by law were cated at:
1350 McCormick Rd	
	November 9, 2012
The sign(s) were posted on	November 9, 2012
	(Month, Day, Year)
	Sincerely,
	November 9, 2012
	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940







NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2013-0087-A

Case: #2013-0087-A
11350 McCormick Road
5/S Shawan Road at the SW corner of McCormick Road
8th Election District - 3rd Councilmanic District
Legal Owner(s): Executive Plaza, LLC

Legal Owner(s): Executive Piaza, LLC

Variance: to allow a freestanding joint Identification sign without a vehicular entrance (Sign A); to allow a sign height of 20 feet for a freestanding joint identification sign in lieu of the permitted sign height of 12 feet (Sign E); to allow freestanding joint identification signs with sign areas/faces of the 138 and 141 square feet in lieu of the permitted sign area/face of 75 square feet each (Signs E & F). Variance to allow two wall-mounted joint identification signs on a principal building with sign areas/faces of 29 square feet and 142 square feet in lieu of the one sign permitted per principal building with a sign area/face of 150 square feet (Signs H2 & G); to allow a wall-mounted joint identification sign on apprincipal building without a frontage (Sign I).

Hearing: Thursday, November 29, 2012 at 10:00 a.m. In Wall Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3368. (2) For information concerning the File and/or Hearing Contact the Zoning Review Office at (410) 887-3391.



501 N. Calvert Street, Baltimore, MD 21278

November 8, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 8, 2012.

appou	9 011 110 1011 01 01 01 01 01
A	The Jeffersonian
	Arbutus Times
	Catonsville Times
	Towson Times
	Owings Mills Times
	NE Booster/Reporter
	North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
November 22, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0087-A

11350 McCormick Road

S/S Shawan Road at the SW corner of McCormick Road

8th Election District – 3rd Councilmanic District

Legal Owners: Executive Plaza, LLC

Variance to allow a freestanding joint identification sign without a vehicular entrance (Sign A); to allow a sign height of 20 feet for a freestanding joint identification sign in lieu of the permitted sign height of 12 feet (Sign E); to allow freestanding joint identification signs with sign areas/faces of 138 and 141 square feet in lieu of the permitted sign area/face of 75 square feet each (Signs E & F). Variance to allow two wall-mounted joint identification signs on a principal building with sign areas/faces of 29 square feet and 142 square feet in lieu of the one sign permitted per principal building with a sign area/face of 150 square feet (Signs H2 & G); to allow a wall-mounted joint identification sign on a principal building without a frontage (Sign I).

Hearing: Thursday, November 29, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avanue, Towson 21204 Anthony Giulio, 216 Schilling Circle, Ste. 300, Hunt Valley 21031

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGNI POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 9, 2012.

(2) HEARINGS ARE HANDICAPPIED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE: CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICIE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 8, 2012 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich 210 W. Pennsylvania Avenue, Ste. 500 Towson, MD 21204 410-494-6352

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CASE NUMBER: 2013-0087-A

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 20, 2012

Executive Plaza LLC Anthony Giulio, President 216 Schilling Circle Ste. 300 Hunt Valley, MD 21031

RE: Case Number: 2013-0087 A, Address: 11350 McCormick Road

Dear Mr. Giulio:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 9, 2012. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

U. Carl Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David H. Karceski, Esquire, 210 W. Pennsylvania Avenue, Towson, MD 21204



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Darrell B. Mobley, Acting Secretary Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-17-17

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

Item No 2013 -0087-A

Variance Executive Plaza LLC 11350 MCormick Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0087-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 18, 2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 29, 2012

Item Nos. 2013-0085, 0086, 0087, 0088, and 0089

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

NOV 0 1 2012

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

David Lykens, Department of Environmental Protection and Sustainability

(DEPS) - Development Coordination

DATE:

November 1, 2012

SUBJECT:

DEPS Comment for Z'oning Item

2013 – 0087-A

Address

11350 McCormick Road

(Executive Plaza, LLC Property)

Zoning Advisory Committee Meeting of October 15, 2012.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Jeff Livingstorn; Development Coordination



Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

None	Account Identifier:	District - 08	Account Number -	1600006967	1			
Mailing Address			Owner Inform	nation				
		SUITE 300 216 SCHILLING CIR		Princi			NO 1)/13151/00	
SHAWAN RD			Location & Structure	e Information				
NONE	SHAWAN RD		6.006 A 400 W N	C EXEC PL II				
Primary Structure Built Fundamental Property Land Area Property			ision Section	Block		Area		1 0047/ 004
126596 1265966 126596	Special Tax Areas	Ad Valorem	NONE					
Non-Arms Length other Price Price Price Non-Arms Length other Price Non-Arms Length other Price Non-Arms Length other Price Price Price Non-Arms Length other Price Pri			Area		Land Area	_		
Phase-in Assessments					•			
As Of			Value Inform	ation				
Preferential Land: 0 0	Land 4 Improvements: 3	As Of 01/01/2011 4,504,500 4,504,500 2,545,200	As Of 07/01/2012	As Of 07/01/201				
Seller: EXECUTIVE PLAZA ASSOCIATES Date: 09/15/1998 Price: \$0			7,049,700					
Type: NON-ARMS LENGTH OTHER Deed1: //3151/00623 Deed2: Seller: PRUDENTIAL INSUR ANCE CO Date: 12/31/1987 Price: \$0 Type: NON-ARMS LENGTH OTHER Deed1: /07760/00695 Deed2: Price: Price: Price: Deed2: Price: Price: Deed2: Price: Price:<			Transfer Infor	mation				
Type: NON-ARMS LENGTH OTHER Deed1: /07760/ 00695 Deed2: Seller: Date: Price: Deed2: Type: Deed1: Deed2: Exemption Information Partial Exempt Assessments Class 07/01/2012 07/01/2013 000 0.00							\$0	
Type: Deed1: Deed2: Exemption Information Partial Exempt Assessments Class 07/01/2012 07/01/2013 County 000 0.00							\$0	
Partial Exempt Assessments Class 07/01/2012 07/01/2013 County 000 0.00								
<u>County</u> 000 0.00			Exemption Info	rmation				
<u>Municipal</u> . 000 0.00 0.00	County State	·		000	0.00 0.00			
Tax Exempt: Special Tax Recapture: Exempt Class: NONE					Special		oture:	
Homestead Application Information			Homestead Application	n Information	1			



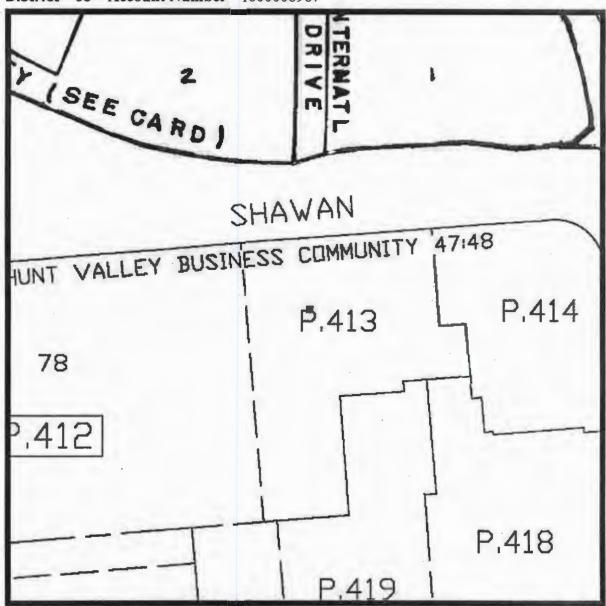




Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search

District - 08 Account Number - 1600006967



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml





Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent Redemption
GroundRent Registration

	Owner Information
Owner Name: EXECUTIVE PLAN Mailing Address: SUITE 300 216 SCHILLING C HUNT VALLEY N	LLC Use: INDUSTRIAL Principal Residence: NO Deed Reference: 1)/13151/00623 2)
	Location & Structure Information
Premises Address 1350 SHAWAN RD -0000	Legal Description 4.587 AC EXEC PLI SW COR MCCORMICK ROA HUNT VALLEY BUSINESS
Map Grid Parcel Sub District Sub District 0042 0015 0415 000	vision Section Block Lot Assessment Area Plat No: 1 2 Plat Ref: 0047/00
Special Tax Areas Ad Valor Tax Class	NONE
Primary Structure Built Enc 1967 1269	<u>d Area</u> Property Land Area County Use 4.5800 AC 07
Stories Basement Type Exterior OFFICE BUILDING	
	Value Information
Base Value Value As Of 01/01/2	
Improvements: 4,246,600 3,162,4 Total: 7,686,800 6,602,6 Preferential Land: 0	6,602,600 6,602,600 0
	Transfer Information
Seller: EXECUTIVE PLAZA ASSOCIATES Type: NON-ARMS LENGTH OTHER	<u>Date:</u> 09/15/1998 <u>Price:</u> \$0 <u>Deed1:</u> /13151/00623 <u>Deed2:</u>
Seller: PRUDENTIAL INSUR ANCE CO Type: NON-ARMS LENGTH OTHER	<u>Date:</u> 12/31/1987 <u>Price:</u> \$0 <u>Deed1:</u> /07760/ 00695 <u>Deed2:</u>
Seller: Type:	Date: Price: Deed1: Deed2:
	Exemption Information
Partial Exempt Assessments County State Municipal	Class 07/01/2012 07/01/2013 000 0.00 000 0.00 000 0.00 000 0.00
Tax Exempt: Exempt Class:	Special Tax Recapture: NONE
	Tiomestead Application Information





Maryland Department of Assessments and Taxation

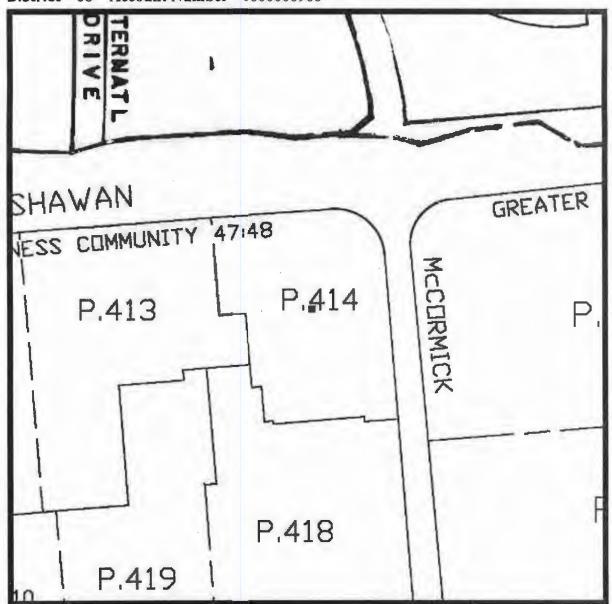


Go Back View Map New Search

District - 08 Account Number - 1600006968

Real Property Data Search

BALTIMORE COUNTY



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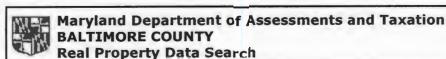
Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY

Go Back View Map New Search GroundRent Redemption GroundRent Registration

	_	AND THE AREA OF	Owner Intor	mation					
Owner Name: Mailing Address:	SUITE 300 216 SCHILL	E PLAZA LLC LING CIR LEY MD 21031-8		Use: Princ	ipal Resid Reference			INDUSTRIA NO 1)/13151/00 2)	
			tion & Structur	e Information	1				
Premises Address 1350 MCCORMICK RD BUNT VALLEY MD 21031-1002			6.806 A MCCOI	Description C EXEC PL I'RMICK RD VA BUSINES					
Map Grid Parcel 1042 0014 0418	Sub District	Subdivision 0000	Section	Block	Lot	Assessment A	Area	Plat No: Plat Ref:	1 0047/ 004
Special Tax Areas		vn Valorem c Class	NONE						
Primary Structure Built		Enclosed Ares			Land Are	a		County Use	
975		32,474 SF		6.8000 AC			0	17	
Stories Basement Ty PAI	<u>pe</u> RKING STRUCTU	<u>Exterior</u> RE					-		
			Value Inform	nation					
Land 5, Improvements: 3,	.104,500 .634,100 .738,600	Value As Of 01/01/2011 5,104,500 2,401,900 7,506,400	Pha:se-in Ass As O'f 07/011/2012 7,5065,400	As Of 07/01/20 7,506,40					
referencial Land.			Transfer Info						
Seller: EXECUTIVE PLAZ Type: NON-ARMS LENG			1111-2101 2210	Date: Deed1:	09/15/199		Price: Deed 2:	\$0	
Seller: PRUDENTIAL INSU Type: NON-ARMS LENG				Date: Deed1:	12/31/19		Price: Deed2:	\$0	
Seller: Type:				Date: Deed1:			Price: Deed2:		
	1000		Exemption Inf	ormation					
Partial Exempt Assessments County State Municipal				Class 000 000 000		07/01/2012 0.00 0.00 0.00		07/01/2013	
Tax Exempt: Exempt Class:			Special Tax Recapture: NONE						
Lacin pt Class.									

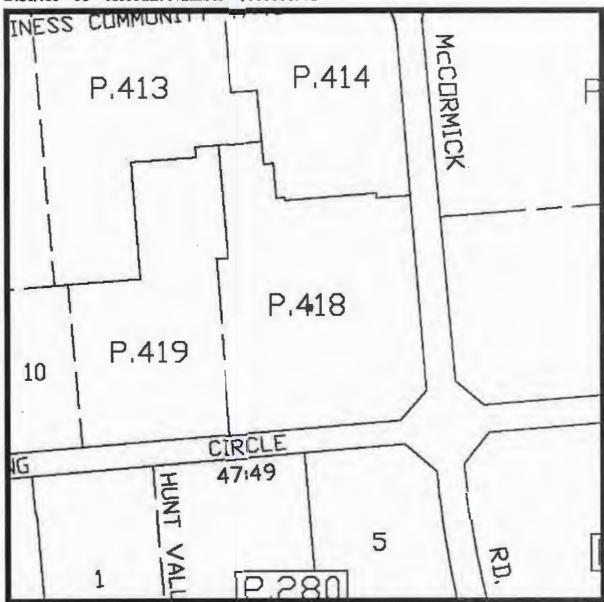






Go Back View Map New Search

District - 08 Account Number - 1600006972



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Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY

Go Back View Map New Search GroundRent Redemption GroundRent Registration

'remises Address CHILLING CIR	Use: INDUSTRIAL Principal Residence: NO Deed Reference: 1)/13151/00623 2) Structure Information
'remises Address CHILLING CIR	Structure Information
CHILLING CIR	
-0000	Legal Description 4.976 AC EXEC PL III 469 W MCCORMICK RD HUNT VA BUSINESS COMM
Map Grid Parcel Sub District Subdivision Subdivision 042 0014 0419 0000	ection Block Lot Assessment Area Plat No: 1 2 Plat Ref: 0047/00
pecial Tax Areas Ad Valorem Tax Class	NONE
Primary Structure Built Enclosed Area 973 162456	Property Land Area County Use 4.9700 AC 07
tories Basement Type Exterior OFFICE BUILDING	
Valu	e Information
Base Value Value Phase	
mprovements: 7,895,800 6,256,100 Total: 11,627,800 9,988,100 9,988, Preferential Land: 0	9,988,100 0
Trans	fer Information
Seller: EXECUTIVE PLAZA ASSOCIATES Type: NON-ARMS LENGTH OTHER	Date: 09/15/1998 Price: \$0 Deed1: /13151/00623 Deed2:
Seller: PRUDENTIAL INSUR ANCE CO Type: NON-ARMS LENGTH OTHER	<u>Date:</u> 12/31/1987 <u>Price:</u> \$0 <u>Deed1:</u> /07760/ 00695 <u>Deed2:</u>
Seller: [ype:	Date: Price: Deed 1: Deed 2:
Exemp	otion Information
Partial Exempt Assessments County State Municipal	Class 07/01/2012 07/01/2013 000 0.00 000 0.00 000 0.00 000 0.00
Fax Exempt: Exempt Class:	Special Tax Recapture: NONE





Maryland Department of Assessments and Taxation

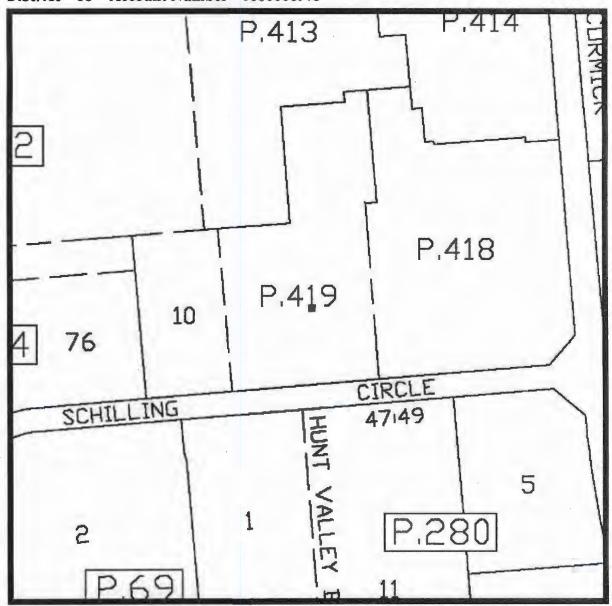


Go Back View Map New Search

District - 08 Account Number - 1600006973

Real Property Data Search

BALTIMORE COUNTY



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MEMORANDUM

DATE:

January 4, 2013

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2013-0087-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 2, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

CASE NAME 11350 Mc (ornic Rd. CASE NUMBER 2013-87-4

DATE 11/29/12

PETITIONER'S SIGN-IN SHEET

NAME ,	ADDRESS	CITY, STATE, ZIP	E- MAIL
David Karceski	1/enable LLP	[M MOZNE]	dKarceskig vemble. com
Justin Willson.		500. 21204	Just'n williams al enable. com
Davis unton	9640 Decreeo fol	TIMONIUM, MD 21093	DLintone Hill Mat. cous
BERIOT C. TETBUSEN	2008.C COMMERCE 1215	FOREST HILL MID 21050	poterione quidaptions a
			. 4
-			
*			
		·	·

CASE NO. 2013- 0087-A

CHECKLIST

Comment Received	Departm	<u>ent</u>		Conditions/ Comments/ No Comment	
10-18	DEVELOPMENT PL (if not received, date of			NO.	·
11-1	DEPS (if not received, date e	e-mail sent		NO	·
	FIRE DEPARTMENT	Γ			
	PLANNING (if not received, date e	e-mail sent)		_
10-17	STATE HIGHWAY	ADMINISTR	ATION	No objection	ń
	TRAFFIC ENGINEER	RING			_
	COMMUNITY ASSO	CIATION			
	ADJACENT PROPER	RTY OWNER	RS		_
ZONING VIOLATI	ON (Case N	lo			
PRIOR ZONING	(Case N	lo.			
NEWSPAPER ADV	ERTISEMENT	Date:	11-8-12	Jelensonin)
SIGN POSTING	1	Date:	11-9-12	by Black	20 da
PEOPLE'S COUNS	EL APPEARANCE EL COMMENT LETTE	Yes R Yes	No D		
Comments, if any: _					

Case No.:	2013-0087-A

Exhibit Sheet

	Petitioner/Developer	Protestant	12-3-12-100
No. 1	lA 2 shoet site plan		
No. 2	Petersen Resume		
No. 3	Aerial Zoning Map		
No. 4	4 color photos		
No. 5			
No. 6			
No. 7			
No. 8			
No. 9			
No. 10			
No. 11			
No. 12			·

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS 2205-C COMMERCE ROAD, FOREST HILLS, MARYLAND 21050

CURRICULA VITAE

Bernt C. Petersen, R.L.A.

Director of Land Planning / Landscape Architecture George William Stephens, Jr. & Associates

Professional Registration: Registered Landscape Architect - Maryland - No. 1095

Education:

State University of New York, College of Environmental Science and Forestry at Syracuse – Bachelor of Landscape Architecture -1977,
Bachelor of Science, Environmental Studies -1976

Professional Affiliations: American Society of Landscape Architects, Maryland Chapter, No. 1108847

Professional practice includes 30 years of experience in land planning, landscape architecture, comprehensive zoning, PUD master planning, site planning, and testimony regarding land use and zoning issues. Mr. Petersen has been practicing in the Greater Baltimore Metropolitan region since 1988 and has expertise in land planning, site planning, and zoning cases in Anne Arundel County, Baltimore County and Howard County, Maryland.

Principal duties for G. W. Stephens, Jr. & Assoc. include: supervision of site development and land planning; zoning interpretation; Community Input Meetings; Development Plan preparation and Hearing Officer's Hearings; Special Hearings and Special Exception petitions; variance request petitions and landscape plan preparation. Prior to his relocation to Maryland, Mr. Petersen practiced site design and land planning in New York and Massachusetts.

Significant local projects include: Powell Property, Forge Landing, Cedar Lane Farms P.U.D., 1400 Taylor Avenue P.U.D., Westwicke, Beachwood Estates, The Sanctuary, Kimbrook, Kopp Property, Green Spring Station, Home Depot of Owings Mills, Bel Air and Timonium, Ashland Market Place, Baker Property, Greenfields at White Marsh and The Clusters. A significant project of regional impact is Luther's Forest, a comprehensive mixed use development in Saratoga County, NY.

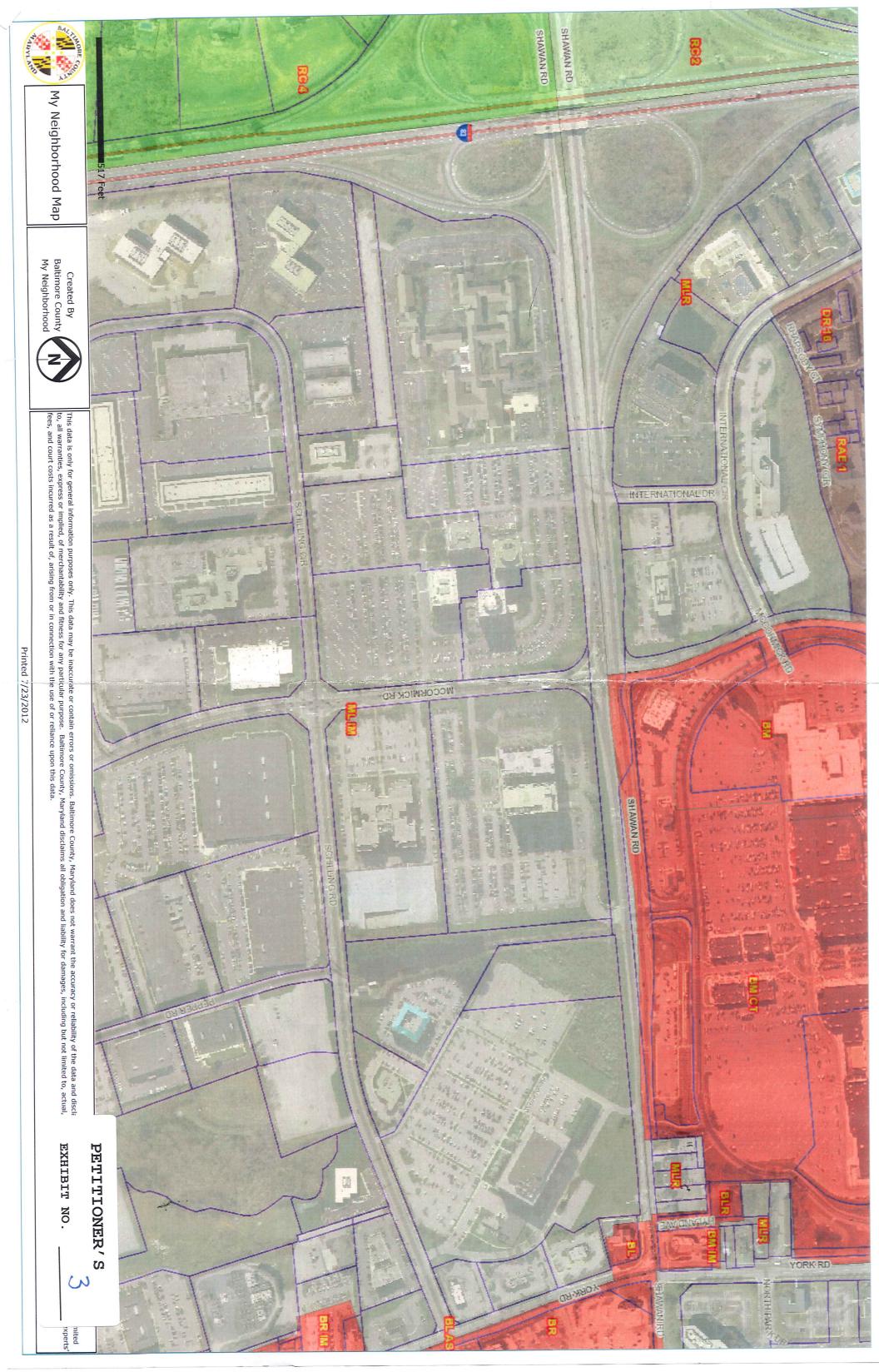
Mr. Petersen has prepared comprehensive-zoning petitions in Baltimore County during the 1996, 2000, 2004 & 2008 CZMP processes and has an understanding of the principles of Euclidean zoning and their application throughout the Baltimore Metro region. He has thorough experience dealing with the Baltimore County's development regulations.

410-638-8460 • FAX 410-638-8465 www.gwstephens.com

PETITIONER'S

EXHIBIT NO.

2



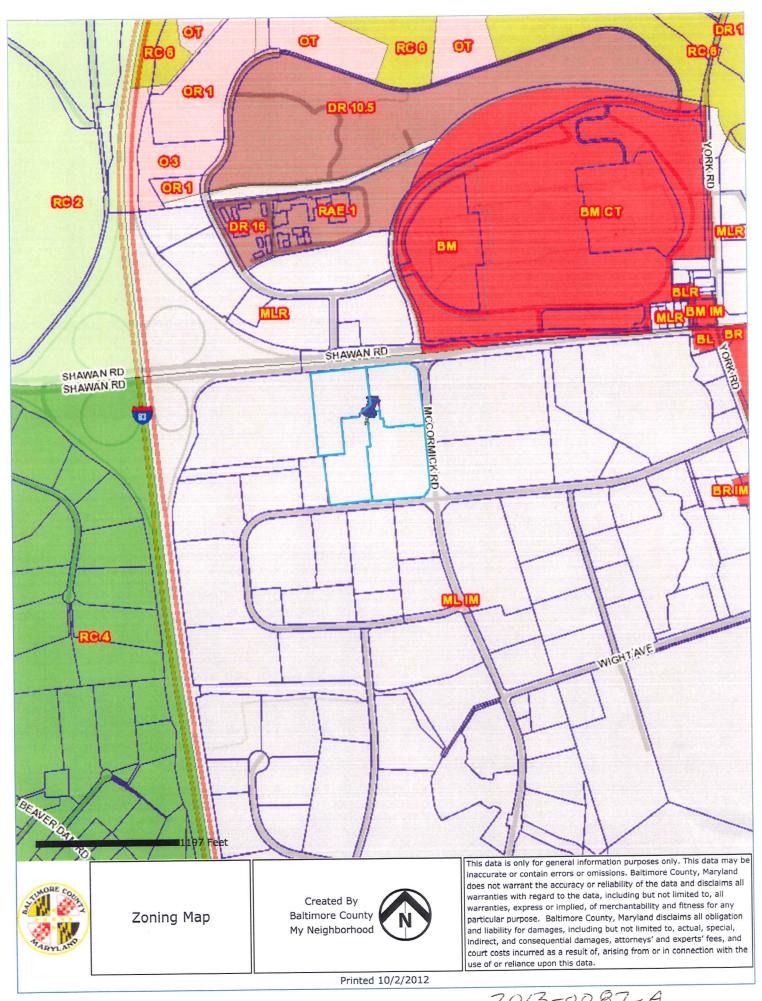




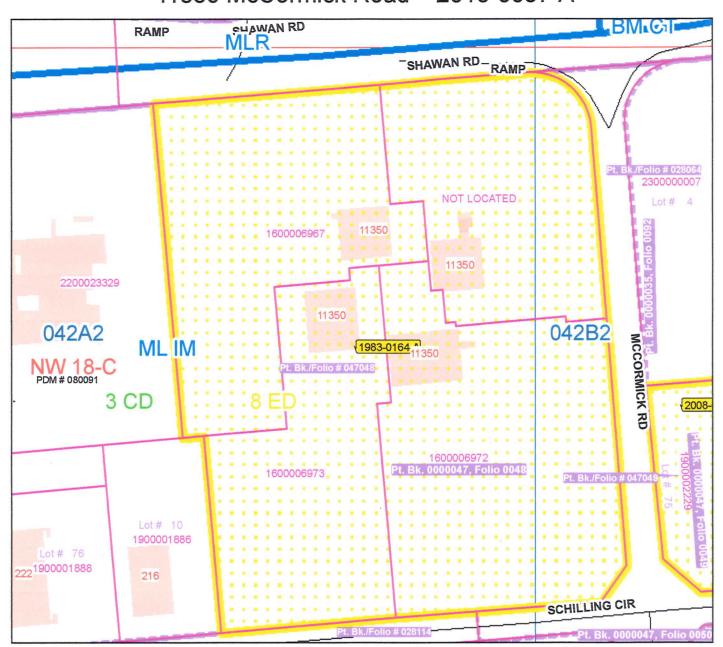
PETITIONER'S

EXHIBIT NO.





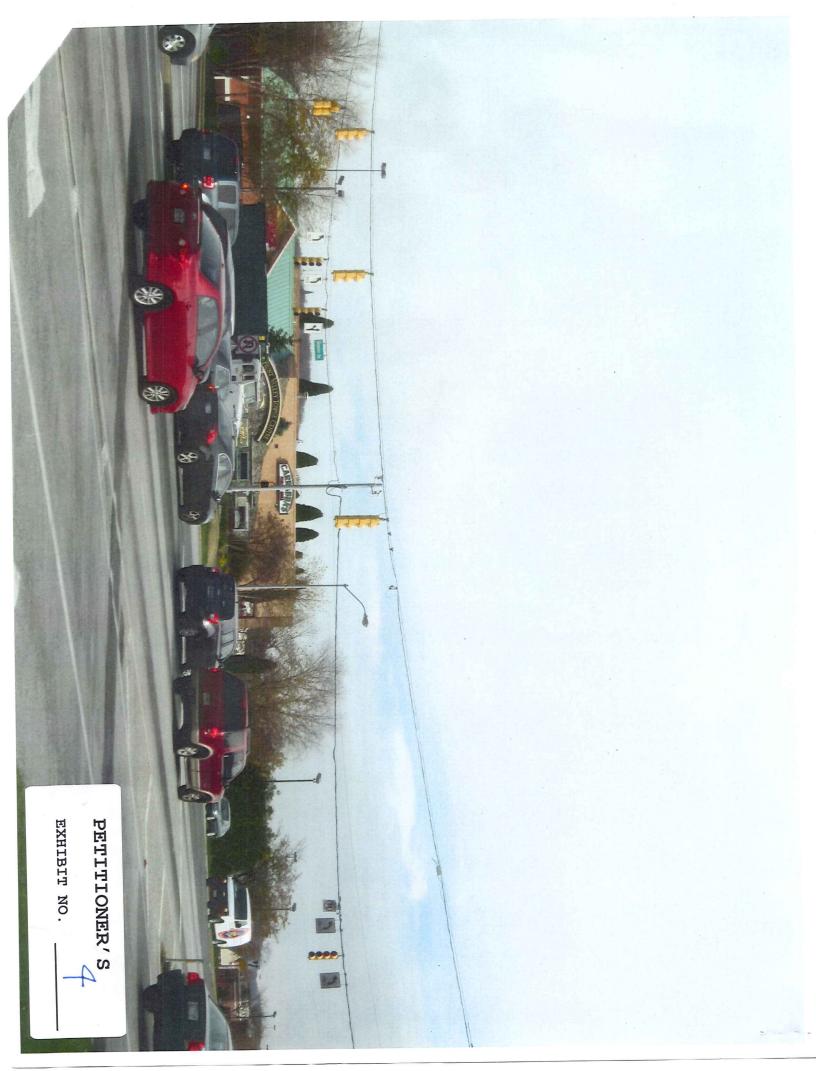
11350 McCormick Road 2013-0087-A

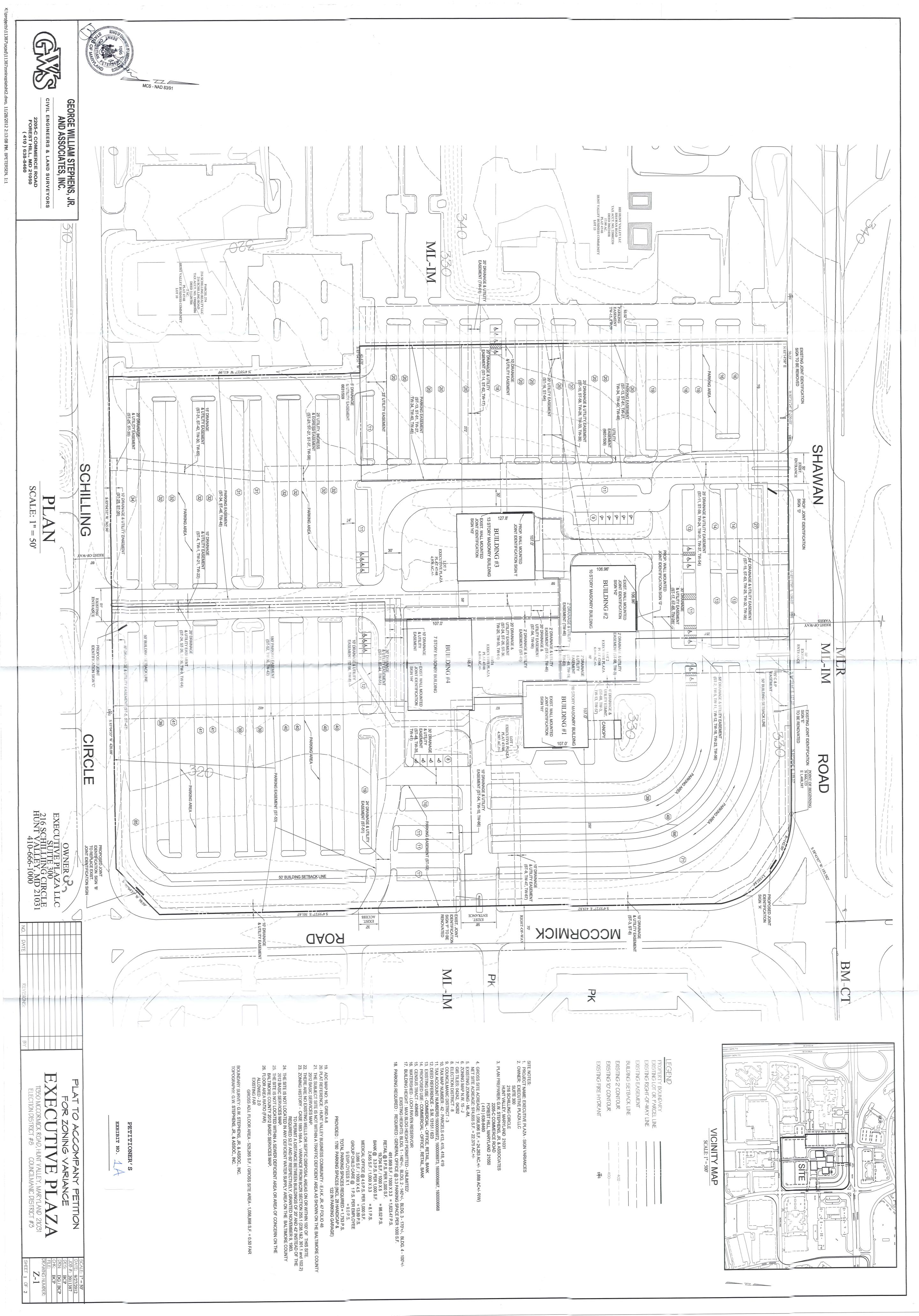


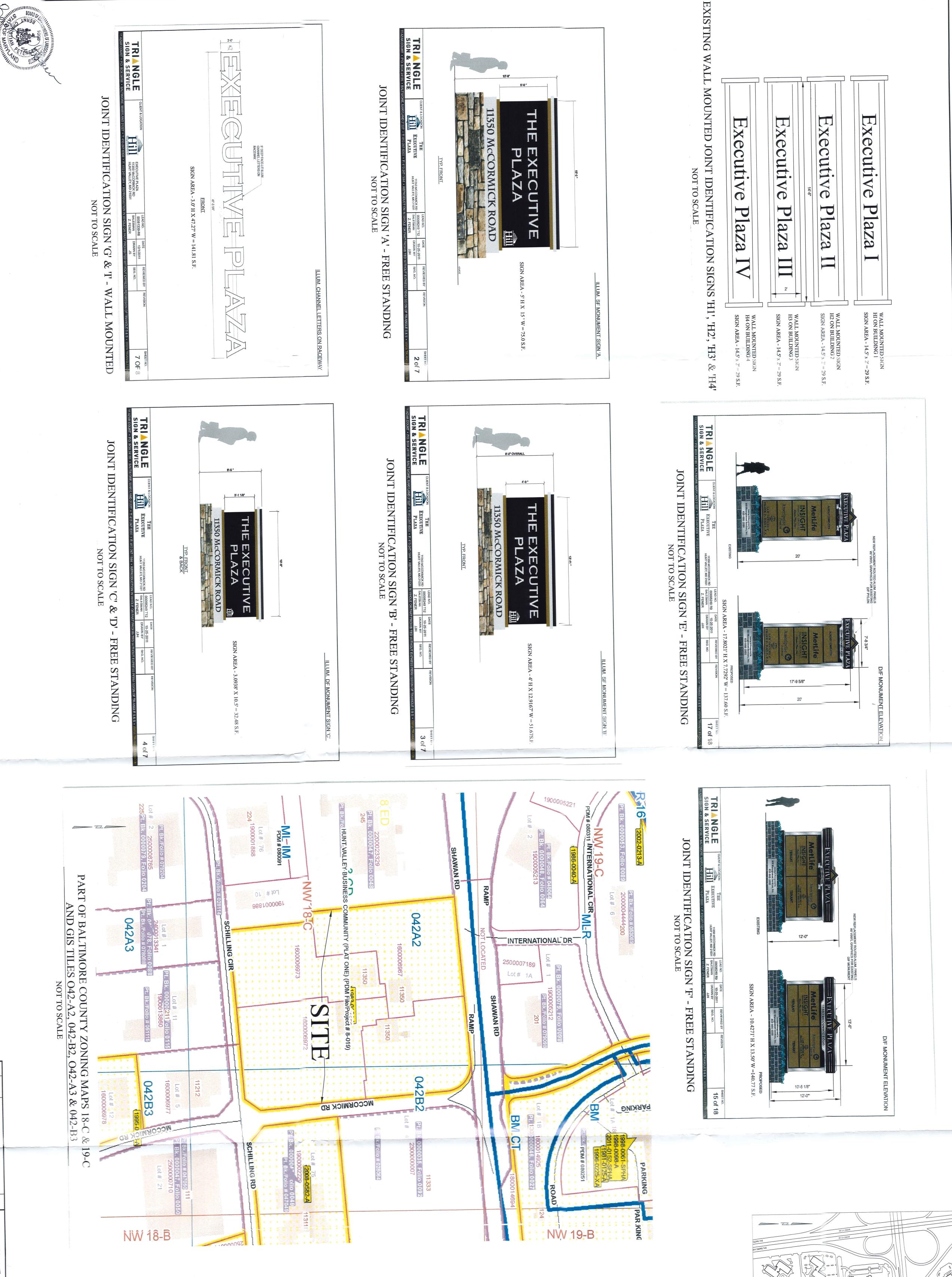












SCALE: 1" = 500'

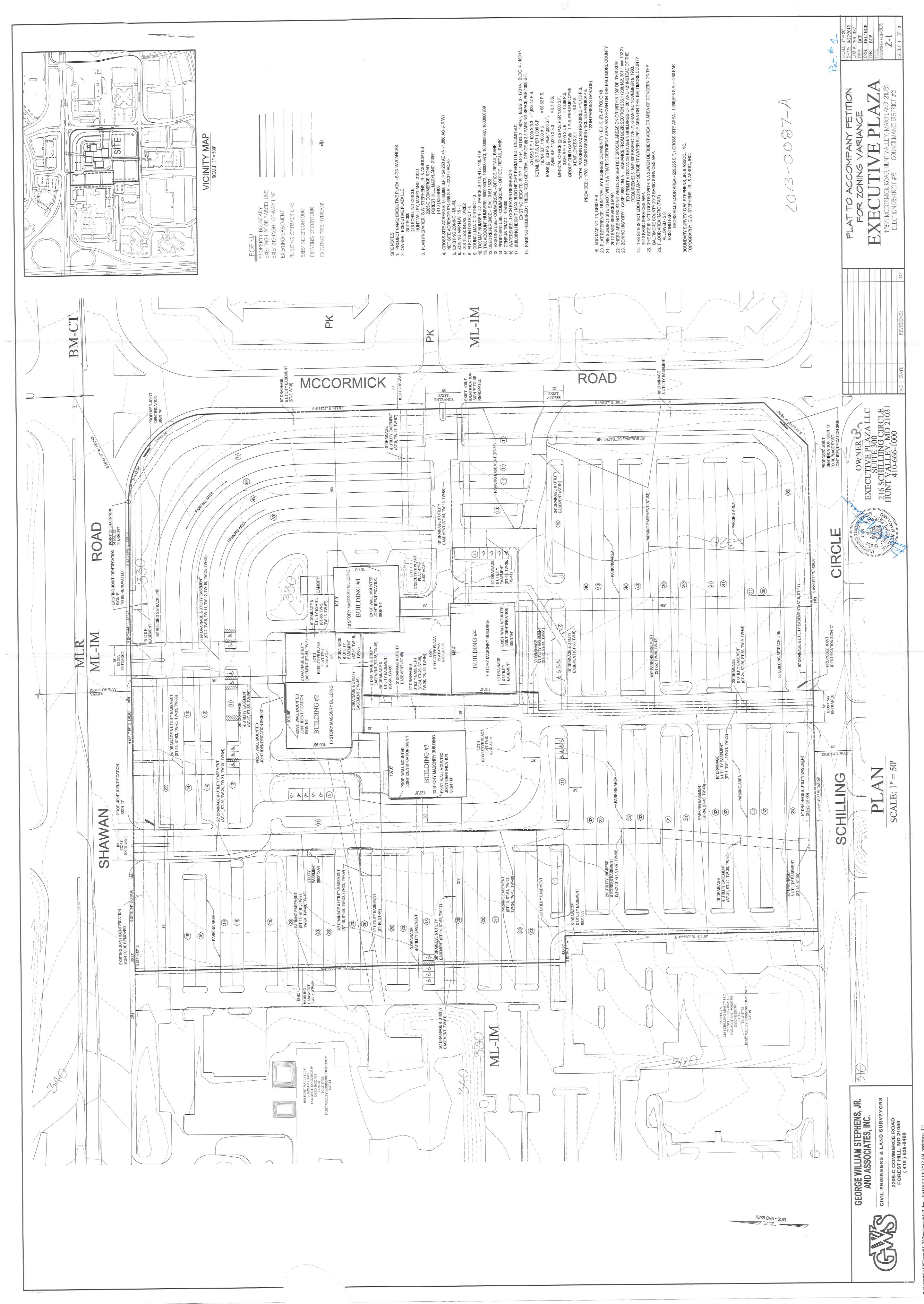
2205-C COMMERCE ROAD FOREST HILL, MD 21050 (410) 638-8460

CIVIL ENGINEERS & LAND SURVEYORS GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

OWNER
EXECUTIVE PLAZA LLC
SUITE 300
216 SCHILLIING CIRCLE
HUNT VALLEY, MD 21031
410-666-1000

Z

E S

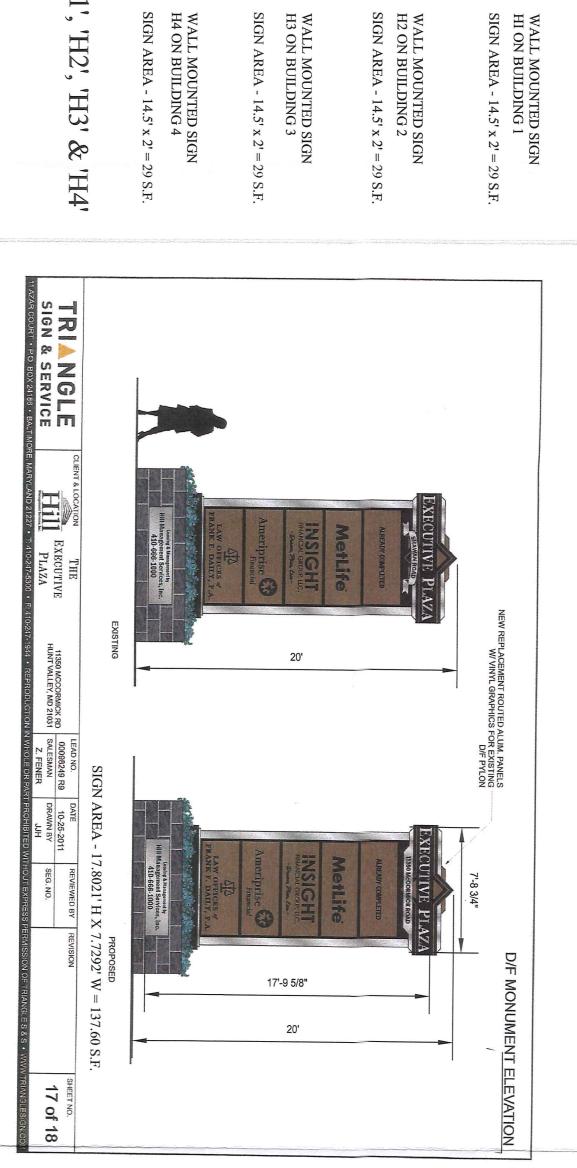


2 of 7

SIGN &

NGLE & SERVICE

HIII EXECUTIVE PLAZA



12'-0"

10'-5 1/8"

12'-0"

Executive

Plaza

WALL MOUNTED SIGN H2 ON BUILDING 2 SIGN AREA - 14.5' x 2' = 2'

WALL MOUNTED SIGN H4 ON BUILDING 4

SIGN AREA - $14.5' \times 2' = 29 \text{ S.f.}$

WALL MOUNTED SIGN H3 ON BUILDING 3

JOINT IDENTIFICATION SIGN 'E' - FREE STANDING NOT TO SCALE

TRIANGLE SIGN & SERVICE

11350 MCCORMICK RD HUNT VALLEY, MD 21031

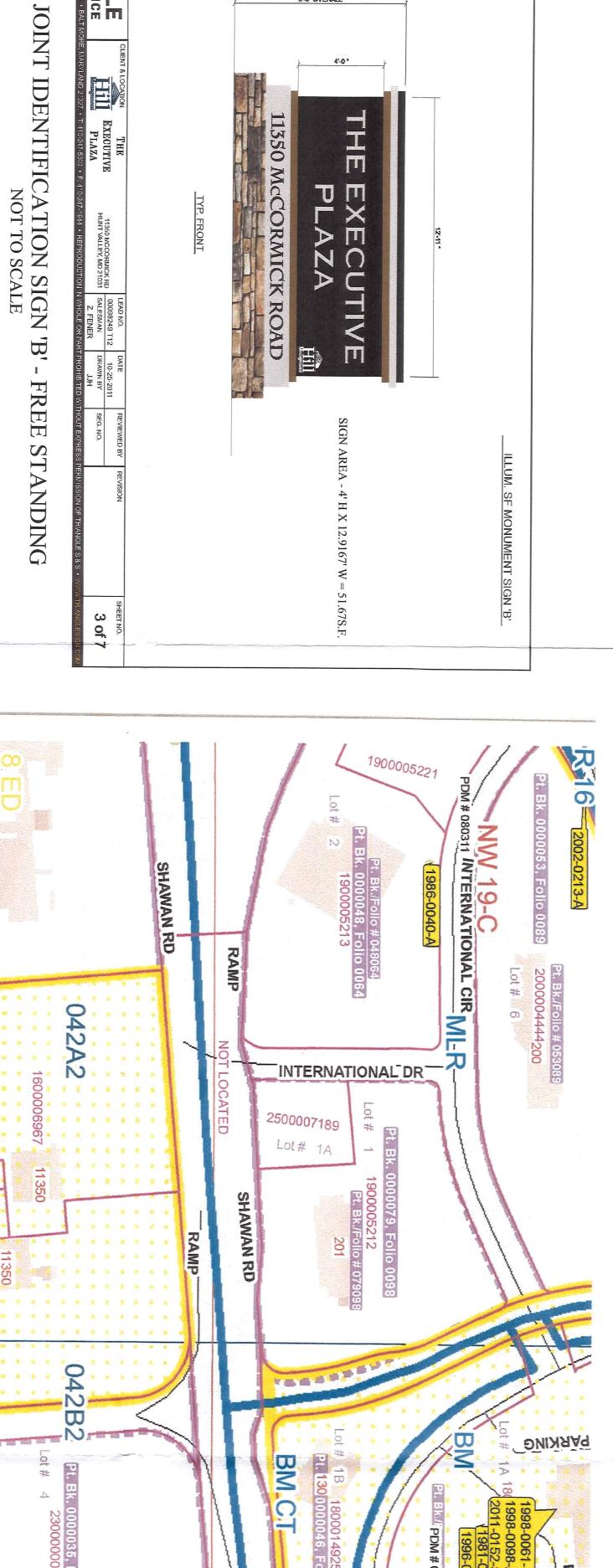
15 of 18

VICINITY MAP

SCALE: 1" = 500"

JOINT IDENTIFICATION SIGN 'F' NOT TO SCALE

FREE STANDING



ゴート





7 OF 8

SIGN &

NGLE

HIII EXECUTIVE
PLAZA

11350 MCCORMICK RD 00098249 T12 10-25-2011
HUNT VALLEY, MD 21031 SALESMAN DRAWN BY Z. FENER JJH

Z. FENER JJH

4 of 7

TYP. FRONT & BACK

THE

JOINT IDENTIFICATION SIGN 'C' & 'D' - FREE STANDING NOT TO SCALE

DNING